

IFW

PATENT
Customer No. 22,852
Attorney Docket No. 4012.0373-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
R. W. Esmond et al.) Group Art Unit: 1614
)
Application No.: 10/669,281) Examiner: Vickie Y. Kim
)
Filed: September 23, 2003)
)
For: METHOD FOR TREATING OR)
PREVENTING ALZHEIMER'S)
DISEASE)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted in a prior application, Application No. 09/394,712, filed September 13, 1999, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Applicants also bring to the attention of the Examiner, the Supplemental Request Under 37 C.F.R. § 1.607 For An Interference With U.S. Patent No. 6,191,154 that was submitted on June 9, 2004, in Application No. 09/394,712. A copy of that enclosed submission includes the "Supplemental Request Under 37 C.F.R. § 1.607 For An Interference With U.S. Patent No. 6,191,154," pages 1-12; Exhibit 1, U.S. Patent No. 6,191,154; Exhibit 2, documents related to the filing of PCT/US98/04731; Exhibit 3, documents related to filing of U.S. provisional application No. 60/039,607; Exhibit 4, *Chemical Abstracts Registry*, Entry No. 122320-73-4; Exhibit 5, Lehmann et al., "An Antidiabetic Thiazolidinedione Is A High Affinity Ligand for Peroxisome Proliferator-activated Receptor γ (PPAR γ)," *The Journal of Biological Chemistry* 270:12953-12956 (1995); Exhibit 6, U.S. Patent No. 5,478,852; Exhibit 7, excerpts from www.alzheimers.org; and Exhibit 8, U.S. Patent No. 5,326,770.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

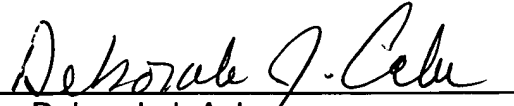
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please
charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

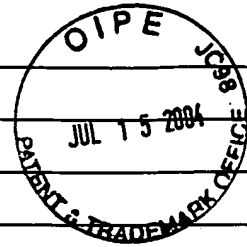
Dated: July 15, 2004

By: 
Deborah J. Acker
Reg. No. 48,916

INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

Atty. Docket No.	4012.0373-01000	Appln. No.	10/669,281
Applicant	R. W. ESMOND et al.		
Filing Date	September 23, 2003	Group:	1614



U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	4,855,306	Aug 8, 1989	Markstein et al.			

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
0 587 377 A2/A3	Mar 16, 1994	EPO			
0 677 517 A1	Oct 18, 1995	EPO			
07-238035 A2	Sep 12, 1995	JPO			Abstract

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Supplementary European Search Report for Application No. EP 98 90 9105, dated May 24, 2004.
	Supplemental Request under 37 C.F.R. § 1.607 For An Interference with U.S. Patent No. 6,191,154, submitted June 9, 2004, with attachments.

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce